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	MISSISSIPPI DEPARTMENT OF CORRECTIONS	POLICY NUMBER 03-01
		AGENCY WIDE
GENERAL STANDARDS OF PROFESSIONAL CONDUCT		INITIAL DATE 12-01-1982
ACA STANDARDS: 2-CO-1C-04, 2-CO-1C-24, 4-4069, 4-4070, 4-ACRS-3A-07 4-ACRS-7D-08, 4-APPFS-3C-02		EFFECTIVE DATE 05-01-2015
STATUTES: 47-5-193, 97-3-104	NON-RESTRICTED	PAGE 1 of 4

POLICY:

It is the policy of the Mississippi Department of Corrections (MDOC) that all employees will conduct themselves and perform their duties in a professional manner.

DEFINITIONS:

Employees – Paid employees of MDOC, contract workers, volunteers, interns, consultants and professional specialists.

Immediate Family – A spouse, children, stepchildren raised prior to age twelve (12), brothers, sisters, parents, grandparents, grandchildren, or person documented as acting in place of parent as surrogate prior to age twelve (12) (i.e., foster parent, step-parent, or relative that raised the individual as a child) and can be documented by law enforcement, school, Human Services records, or employer statement.

Intern – A student who is approved by the Commissioner for participation in the Intern Program and receives academic credit while working in an assigned position within MDOC.

PRECEPTS:

Code of Ethics

The MDOC Director of Human Resources will ensure that a written code of ethics prohibits employees from using their official position to secure privileges for themselves or others and from engaging in activities that constitute a conflict of interest. A copy of this code of ethics will be available to all employees.

Administration of Correctional Agencies (Central Office): **Written policy, procedure, and practice provide for employee rules of conduct that specify prohibited behavior and penalties that may be imposed [2-CO-1C-04].**

Administration of Correctional Agencies (Central Office): **The agency has a written policy to guard against conflicts of interest that adversely affect the agency; this policy specifically states that no person connected with the agency will use his or her official position to secure special privileges or advantages [2-CO-1C-24].**

Adult Correctional Institutions: **A written code of ethics shall require employees to conduct themselves and perform their duties in such a way as to set a good example for prisoners and thereby command their respect. The code of ethics shall prohibit employees from using their official position to secure privileges for themselves or others and from engaging in activities that constitute a conflict of interest. This code is available to all employees [4-4069].**

TITLE: GENERAL STANDARDS OF PROFESSIONAL CONDUCT		POLICY NUMBER
		03-01
EFFECTIVE DATE: 05-01-2015	NON-RESTRICTED	PAGE 2 of 4

Adult Correctional Institutions: Written policy, procedure, and practice provide that consultants and contract personnel who work with inmates are informed in writing about the institution's policies on confidentiality of information and agree to abide by them. [4-4070].

Adult Community Residential Services: Staff model desired behaviors in accordance with a facility's code of ethics. Staff reinforces proper offender behavior and corrects offender misbehavior [4-ACRS-3A-07].

Adult Community Residential Services: Procedures govern case record management, including, at a minimum, the following areas: the establishment, maintenance, use, and content of case records; right to privacy; secure placement and preservation of records; and schedule for retiring or destroying inactive records.

- All entries in the case record are signed and dated.
- Appropriate safeguards exist to minimize the possibility of theft, loss, or destruction of records.
- Records are safeguarded from unauthorized and improper disclosure.
- When any part of the information system is computerized, security ensures confidentiality.
- The facility uses a "release of information consent form" that complies with applicable federal and state regulations and a copy of the form is maintained in the offender's case record.
- Employees, consultants, and contract personnel are informed in writing about the facility's policies on confidentiality of information and agree in writing to abide by them.
- The policies and procedures are reviewed annually [4-ACRS-7D-08].

Adult Probation and Parole Field Services: The agency has a written code of ethics that it provides to all staff. At a minimum, the code:

- Prohibits staff, contractors, interns, and volunteers from using their official positions to secure privileges for themselves or others
- Prohibits staff, contractors, interns, and volunteers from engaging in activities that constitute a conflict of interest
- Prohibits staff, contractors, interns, and volunteers from knowingly accepting any gift or gratuity from, or engaging in personal business transactions that would provide them a benefit not available to the general public or sexual relations with an offender or an offender's immediate family and
- Defines acceptable behavior in the areas of campaigning, lobbying, or political activities

All staff, contractors, interns, and volunteers are held accountable for compliance with the code of ethics [4-APPFS-3C-02].

This written code of ethics will also include, but not be limited to the following:

- Employees will protect the civil, legal, and applicable constitutional rights of all offenders.
- Employees are expected to conduct themselves in a dignified, honest and professional manner.

TITLE: GENERAL STANDARDS OF PROFESSIONAL CONDUCT		POLICY NUMBER
		03-01
EFFECTIVE DATE: 05-01-2015	NON-RESTRICTED	PAGE 3 of 4

- No employee will use his official position to secure special advantage for himself, any offender, or any other person(s).
- Employees responsible for personnel actions will not use their position to hire, appoint, promote, or dismiss any person on the basis of either person's personal or political interest.
- Information pertaining to offenders and obtained under the color of office will be considered confidential and will not be released to anyone not authorized to receive it.
- Any public statement related to the affairs of MDOC will be worded to indicate that the statement is either a personal or official MDOC statement.
- Employees will report any unethical, corrupt, or criminal behaviors occurring within the department to their supervisor, Corrections Investigation Division, or the Director of Human Resources.

No employee will accept from or provide to any offender or their immediate family any item or gift not authorized by the MDOC, nor will any employee accept from or provide to any offender or their immediate family any item in a manner not authorized by MDOC.

No employee will establish close friendships or fraternize with offenders or their immediate family, agent or other representative.

Employee - Offender Kinship

Any employee who becomes aware of any offender with whom he has had any previous or existing relationship, whether a kinship relationship (by blood or marriage, adoption, common law) or not, the employee will immediately report this in writing to his Supervisor or Department Head and the Superintendent or Community Corrections Director.

The Superintendent or Community Corrections Director will immediately report this information in writing to the respective Deputy Commissioners who in turn will report this information to the Commissioner.

Carnal Knowledge

It is unlawful for any jailer, guard, employee of the Mississippi Department of Corrections, sheriff, constable, marshal or other officer or employee of a law enforcement agency or correctional facility to engage in any sexual penetration, as defined in Section 97-3-97, or other sexual act with any offender, with the offender's consent, who is incarcerated at any jail or any state, county or private correctional facility or who is serving on probation, parole, earned-release supervision, post-release supervision, earned probation, intensive supervision, or any other form of correctional supervision.

It is unlawful for any civilian with supervisory or custodial authority over an offender to engage in any sexual penetration, as defined in 97-3-97, or other sexual act with the offender, with the offender's consent, who is incarcerated at any jail or any state, county or private correctional facility.

TITLE: GENERAL STANDARDS OF PROFESSIONAL CONDUCT		POLICY NUMBER 03-01
EFFECTIVE DATE: 05-01-2015	NON-RESTRICTED	PAGE 4 of 4

Any person who violates this section is guilty of a felony and upon conviction will be fined not more than Five Thousand Dollars (\$5,000.00) or imprisoned for a term not to exceed five (5) years, or both.

Prohibited Items

It is unlawful for any officer or employee of the department, of any county sheriff's department, of any private correctional facility in this state in which offenders are confined or for any other person to furnish, attempt to furnish, or assist in furnishing to any offender confined in this state any weapon, deadly weapon, unauthorized electronic device or contraband item.

It is unlawful for any person to take, attempt to take, or assist in taking any weapon, deadly weapon, unauthorized electronic device or contraband item on property belonging to the department which is occupied or used by offenders, except as authorized by law.

Prohibition Against Discrimination

Employees will not discriminate against any individual because of race, gender, creed, national origin, religious affiliation, age or any other type of prohibited discrimination.

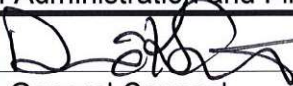
DOCUMENTS REQUIRED:

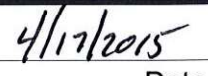
As required by this policy and through the chain of command.

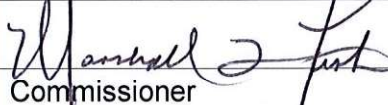
ENFORCEMENT AUTHORITY

All standard operating procedures (SOPs) and/or other directive documents related to the implementation and enforcement of this policy will bear the signature of and be issued under the authority of the Deputy Commissioner of Administration and Finance.

**Reviewed and
Approved for
Issuance**


General Counsel


Date


Commissioner


Date